

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in reply to the response filed on 8<sup>th</sup> of January 2010.
2. Claims 1-4 have been amended.
3. Claims 1-6 are currently pending and have been examined.
4. 101 Rejections were withdrawn.

### **Information Disclosure Statement**

1. The Information Disclosure Statement filed 12/15/2009 has been considered. Initialed copy of the Form 1449 is enclosed herewith.

### **Response to Arguments**

2. Applicant's arguments filed 8<sup>th</sup> of January 2010 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.
3. With regard to the limitations of claims 1-6, Applicant argues none of the arts teach "...*plurality of funding sources*." But instead it teaches a "single" funding source therefore the 103 rejection is not sufficient. The Examiner respectfully disagrees. First of all, Column 14, Line 18-25, discloses "offices with particular within particular divisions of the financial institution and offices within different operating subsidiaries..." This citation teaches multiple "offices", these "offices" can be interpreted to be plurality of "funding sources". For example, Bank of America ("B of A") has many

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offices around the U.S. For company "A", "B of A" in Alexandria, Virginia can be a one funding source and "B of A" in San Diego, California can be the second funding source for its branch office. Secondly, "not" agreeing to the applicant's argument, examiner argues even if the arts didn't teach multiple funding sources, this is an obvious modification to the given arts. Merely changing the size of the funding sources is an obvious modification. Please refer to the case law, *In re Rose*, F.2d 459, 463, 105 USPQ 237, 240 (CCPA 1955).

4. The previous 103 rejections stand.

#### **Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell et al. (hereinafter "Campbell"); (US 4,774,664) in view of Dykstra et al. (hereinafter "Dykstra"); (US 5,611,052).

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**Claim 1:**

Campbell shown discloses the following limitations:

- *Computer executable instructions for receiving a credit application from at least one remote application input location;* (See at least Column 9, Line 31+, "...loan payment data received...")
- *Computer executable instructions for monitoring the data flow of a communication channel wherein said communication channel accesses a plurality of funding sources; and* (See at least column 3, Lines 26+, "...may be displayed...") ; (Also see at least column 24, Lines 26+, "...may be displayed at a loan officer's VDT...", network of terminals are shown on Fig.1)
- *Computer executable instructions for automatically and selectively forwarding and received credit application to said plurality of funding sources* (See at least Column 2, Line 15+, "...authority of various system users..."); (Also see at least column 24, Lines 26+, "...may be displayed at a loan officer's VDT...", network of terminals are shown on Fig.1)

Campbell does not teach using the facsimile service when communication channel fails, but Dykstra, however as shown, does:

- *by standardized facsimile service* (Fig. 2A, Step 120) *should said communication channel fail.* (See at least Fig. 1, Steps, 22, 24, 32) (Fig. 1 shows two different communication channels: (1) computer to computer bidirectional data channels (steps 22, and 24), and (2) computer to fax data channels (step 32), so it would have been obvious to one of ordinary skill to use the other communication channel if one fails.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the Campbell's system as taught by Dykstra to use the facsimile as a backup when needed. This would give an extra assurance to the plurality of funding sources.

**Claim 2:**

The combination of Campbell/Dykstra discloses the limitations as shown in the rejections above.

Furthermore, Campbell as shown, also discloses the following limitations:

- *receiving a funding decision from said plurality of funding sources.* (See at least column 25, Lines 5+, "...approval/rejection decision...")

**Claim 3:**

Campbell shown discloses the following limitations:

- *receiving a credit application from at least one remote application input location utilizing a network device;* (See at least Column 9, Line 31+, "...loan payment data received...")
- *monitoring the data flow of a communication channel utilizing a monitoring device, wherein said communication channel accesses a plurality of funding sources;* (See at least column 3, Lines 26+, "...may be displayed...") ; (Also see at least column 24, Lines 26+, "...may be displayed at a loan officer's VDT...", network of terminals are shown on Fig.1)
- *....automatically and selectively forwarding said received credit application to said plurality of funding sources...*(See at least Column 2, Line 15+, "...authority of various system users..."); (Also see at least column 24, Lines 26+, "...may be displayed at a loan officer's VDT...", network of terminals are shown on Fig.1)

Campbell does not teach using the facsimile service when communication channel fails, but

Dykstra, however as shown, does:

- *should said communication channel fail, automatically and selectively forwarding by a configured processor said received credit application to said plurality of funding sources by standardized facsimile service* (Fig. 2A, Step 120); (See at least Fig. 1, Steps, 22, 24, 32) (Fig. 1 shows two different communication channels: (1) computer to computer bidirectional data channels (steps 22, and 24), and (2) computer to fax data channels

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(step 32), so it would have been obvious to one of ordinary skill to use the other communication channel if one fails.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the Campbell's system as taught by Dykstra to use the facsimile as a backup when needed. This would give an extra assurance to the plurality of funding sources.

**Claim 4:**

The combination of Campbell/Dykstra discloses the limitations as shown in the rejections above.

Furthermore, Campbell as shown, also discloses the following limitations:

- *step of receiving by the configured processor a funding decision from said plurality of funding sources. (See at least column 25, Lines 5+, "...approval/rejection decision...")*

**Claim 5:**

Campbell shown discloses the following limitations:

- *receive a credit application from at least one remote application input location; (See at least Column 9, Line 31+, "...loan payment data received...")*
- *monitor the data flow of said communication channel; and (See at least column 3, Lines 26+, "...may be displayed...") ; (Also see at least column 24, Lines 26+, "...may be displayed at a loan officer's VDT...", network of terminals are shown on Fig.1)*
- *automatically and selectively forwarding and received credit application to said plurality of funding sources (See at least Column 2, Line 15+, "...authority of various system users..."); (Also see at least column 24, Lines 26+, "...may be displayed at a loan officer's VDT...", network of terminals are shown on Fig.1)*

Campbell does not teach using the facsimile service when communication channel fails, but Dykstra, however as shown, does:

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- *by standardized facsimile service (Fig. 2A, Step 120) should said communication channel fail.* (See at least Fig. 1, Steps, 22, 24, 32) (Fig. 1 shows two different communication channels: (1) computer to computer bidirectional data channels (steps 22, and 24), and (2) computer to fax data channels (step 32), so it would have been obvious to one of ordinary skill to use the other communication channel if one fails.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the Campbell's system as taught by Dykstra to use the facsimile as a backup when needed. This would give an extra assurance to the plurality of funding sources.

**Claim 6:**

The combination of Campbell/Dykstra discloses the limitations as shown in the rejections above.

Furthermore, Campbell as shown, also discloses the following limitations:

- *receive a funding decision from said plurality of funding sources.* (See at least column 25, Lines 5+, "...approval/rejection decision...")

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
11. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Edward Chang** whose telephone number is **571.270.3092**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **ALEXANDER KALINOWSKI** can be reached at **571.272.6771**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

P.O. Box 1450  
Alexandria, VA 22313-1450

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building  
401 Dulany Street  
Alexandria, VA 22314.

April 06, 2010  
/Edward Chang/ Examiner, Art Unit 3691

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